

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

RMC PACIFIC MATERIAL & INC

Primary Contact:

RMC PACIFIC MATERIAL & INC
6601 KOLL CENTER PARKWAY
PLEASANTON, CA 94566

Phone No. 831-429-7200

Fax No.

E-mail Address:

Agent:

Address:

Phone No.

Fax No.

E-mail Address:

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

S008349

2006, 2007, 2008

INACTIVE
EWRIMS/BR

DEC 14 2009

Source Name:

Tributary To:

County:

Diversion within:

Year of First Use: 1928

Name of Diversion works:

Assessor Parcel Number
of the Diversion site:

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ___ Court Decree No.: ___ Other (explain): ___

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) ___

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) ___ Gallons per day (gpd) ___ Cubic feet per second (cfs) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons ___ Million Gallons (MG) ___ Acre-feet (AF) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													
2007													
2008													

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ___ acres; Stockwatering ___; Domestic ___;
Other (specify) _____

Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) _____

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year ___ (AF/MG) Year ___ (AF/MG) Year ___ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO _____

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20____ at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>



S008349%\$%2005

2003, 2004, 2005

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: RMC PACIFIC MATERIAL & INC;

2005 JUL 14 11:45

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

RMC PACIFIC MATERIAL & INC

STATEMENT NO.: S008349
CONTACT PHONE NO.: (925)426-2278

**6601 KOLL CENTER PARKWAY
PLEASANTON, CA 94566**

Source Name: LIDDELL SPING NO. 2
Tributary To: EAST BRANCH LIDDELL CREEK
County: Santa Cruz
Diversion Within: NW1/4 of NW1/4 Section 36, T10S, R03W, MB&M

Year of First Use: 1928

Parcel Number:

- A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☐ Other (explain): ☒ (ground water)
- B. **Year of First Use:** (Please provide if missing above) _____
- C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons Million Gallons (MG) Acre-feet (AF) <input checked="" type="checkbox"/> Other													
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2003	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11
2004	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11
2005	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic 15-20 people;
Other (specify) Industrial

- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES _____ NO ☒
Describe any water conservation efforts you have initiated: _____

- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ____ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: July 11, 2006 at Davenport, California

SIGNATURE: Duane Cannon

PRINTED NAME: Duane (first name) (middle initial) Cannon (last name)

COMPANY NAME: RMC Pacific Materials (dba CEMEX)

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board
 Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400. Web: http://www.waterrights.ca.gov



S008349%\$%2002

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

2000, 2001, 2002

If the information below is inaccurate, please line it out in red and provide current information.
 Notify this office if ownership or address changes occur during the coming year.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: RMC PACIFIC MATERIAL & INC;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

RMC PACIFIC MATERIAL & INC

STATEMENT NO.: S008349
 CONTACT PHONE NO.: (925)428-8787

PO BOX 5252
 PLEASANTON, CA 94566

Source Name: LIDDELL SPING NO. 2
 Tributary To: EAST BRANCH LIDDELL CREEK
 County: Santa Cruz
 Diversion Within: NW1/4 of NW1/4 Section 36, T10S, R03W, MB&M

Year of First Use: 1928

Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain): ☒ (ground water)

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons _____ Acre-feet ☒ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2000	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11
2001	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11
2002	1.69	1.75	1.93	1.93	2.03	2.39	2.70	2.82	2.52	2.03	1.66	1.66	25.11

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic 15-20 persons

Other (specify) Industrial

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☐

Describe any water conservation efforts you have initiated: _____

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

Shw
5/11/05

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
 I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
 I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: Oct 29, 2003 at Davenport, California

SIGNATURE: Duane Cannon

PRINTED NAME: Duane (first name) Cannon (last name)

COMPANY NAME: RMC Pacific Materials, Inc.

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"



LONE STAR INDUSTRIES, INC.

Cement & Construction Materials Group

Pacific Region
2800 Campus Drive
San Mateo, Ca. 94403
415 674-7100

December 19, 1979

State Water Resources Control Board
Division of Water Rights
77 Cadillac Drive
Sacramento, CA 95825

Gentlemen:

Enclosed please find three Supplemental Statement
of Water Diversion and Use -- Numbers 8349, 8350 and
8351, for Liddell Spring #2, Mill Creek and San Vicente
Creek.

Should you have any questions, please don't hesi-
tate to contact us.

Very truly yours,


Ralph F. Mitchell
Regional Environmentalist

ph
Enclosures as Stated

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

RMC LONESTAR
C/O PLANT MANAGER
SANTA CRUZ CEMENT PLANT
HIGHWAY 1
DAVENPORT, CA 95017

DEC 14 1988

STATEMENT NO: 008349

TELEPHONE NUMBER:
(408) 458-5700

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: LIDDELL SPRING NO 2

TRIBUTARY TO: EAST BRANCH LIDDELL CREEK

COUNTY: SANTA CRUZ

DIVERSION

WITHIN: NW1/4 OF NW1/4 SECTION 36, T10S, R03W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1989. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☒ Gallons x 1,000
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1986	192	192	192	486	780	927	927	927	927	927	780	192	7449
1987	192	192	192	486	780	927	927	927	927	927	780	192	7449
1988	192	192	192	486	780	927	927	927	927	927	780	192	7449

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ Ground Cover _____

Stockwatering _____

Domestic 13 persons

Other (specify) Industrial

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 9/27, 1990, at Santa Cruz, California

Signature: S. H. Sheth

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S8349

- A. Name of person diverting water Lone Star Industries, Inc.
Address Santa Cruz Mill, Davenport, California 95017
- B. Name of body of water at point of diversion Liddell Spring No. 2
Tributary to East Branch Liddell Creek
- C. Place of diversion NW 1/4 NW 1/4 Section 36, Township 10S, Range 3W, Mount Diablo B&M,
Santa Cruz County, or locate it on sketch of section grid on reverse side with regard to section
lines or prominent local landmarks.

D. Name of works Liddell Spring No. 2

E. Capacity of diversion works Pump System 300 GPM = 0.67 cfs cubic feet per second
gallons per minute
Capacity of storage reservoir --- gallons
acre-feet

State quantity of water used each month in gallons --- (1000's of gallons)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	50	50	100	200	400	500	500	500	500	500	400	50	3,750

If monthly and annual use are not known, check months in which water was used. State extent of use in
units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 3,750,000 gallons = 12 Acre feet gallons
acre-feet

Minimum annual water use in recent years 3,750,000 gallons = 12 Acre feet gallons
acre-feet

Type of diversion facility: gravity ---, pump X

Method of measurement: weir ---, flume ---, electric power meter ---, water meter ---, estimate X

F. Purpose of use (what water is being used for) Mining - dust control, irrigation of ground
cover, and domestic sanitary use.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known 1928

I. Name of person filing statement John I. Brotzman
Position Plant Manager Organization Lone Star Industries, Inc.
Address Santa Cruz Mill, Davenport, California 95017

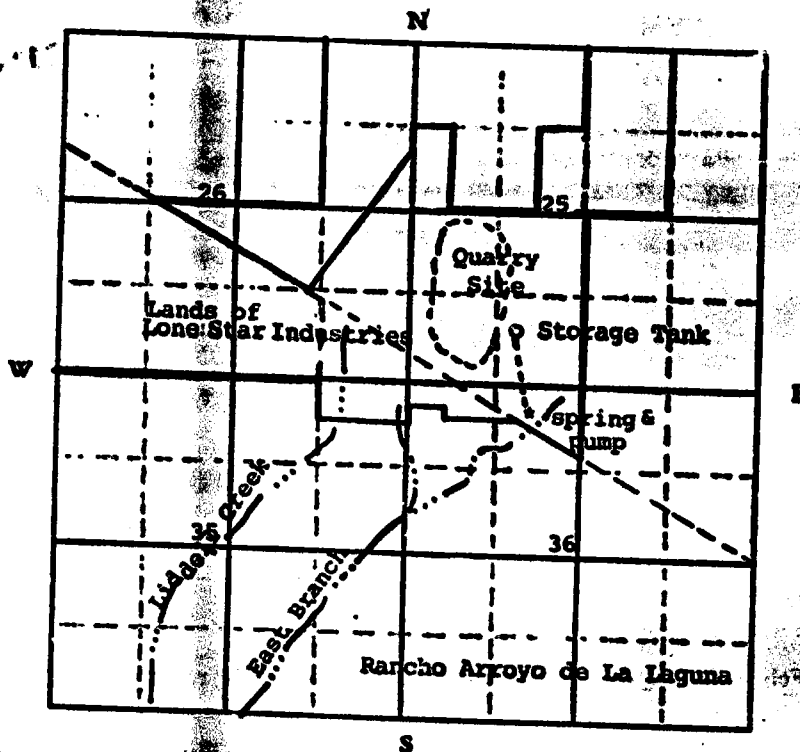
I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
DATE: July 24, 1974, 19 74, at San Jose, California.

Signature: [Signature]

See Instructions on Reverse Side

3003-17-01-89

The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area.



Section(s) 25, 26, 35, 36

Township T 10 S; Range R 3 W; Mount Diablo B&M

Instructions

A statement should be filed except where—

1. The diversion is on file with the State Water Resources Control Board by means of an application, permit or license.
2. The water is pumped from a ground water basin.
3. The water is diverted from a spring that does not flow off the property on which it is located.
4. The diversion is supervised by a state-appointed watermaster.
5. The diversion is included in annual reports filed with the State Water Resources Control Board or with a court by a watermaster appointed to administer a court decree determining the rights to divert water.
6. The diversion is on file under the recordation of ground water extractions law.
7. The diversion is reported by the Department of Water Resources in its annual hydrologic bulletins describing certain major diversions from the Sacramento River and major tributaries.
8. The diversion is in the Sacramento-San Joaquin River Delta lowlands.

More specific information defining the types of diversions for which statements are not required may be obtained from the Division of Water Rights of the State Water Resources Control Board.

A separate statement should be filed for each point of diversion.

A duplicate copy will be returned for your file.

Please send the completed statement to: State Water Resources Control Board
Division of Water Rights
1416 Ninth Street, Room 1015
Sacramento, California 95814